

Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 2455 - Covenant Marriage (LSB 6011 HV.1)

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Fiscal Note Version – HF 2455 as Amended by H-8361

Requested by Representative Danny Carroll

Description

Amendment H-8361 to HF 2455 requires a \$5 fee for any couple that does not complete premarital education, except in the case of indigence. Under this Amendment, premarital education requirements apply to all marriage license applications. The Amendment also requires parenting plan guidelines be established by the Supreme Court and distributed by Clerk of Court offices beginning September 1, 2004, and effective October 1, 2004. Under the Amendment, the new Bill title is Marriage and Domestic Relations Requirements.

Assumptions

1. In FY 2003, there were approximately 21,000 marriages performed in Iowa.
2. Under current law, the cost of a marriage license is \$35. Of this amount, \$4 is retained by the County Recorder's Office and \$31 is distributed to the State.
3. Under current law, the \$5 fee to expedite the three-day waiting period for a marriage license is distributed to the State.
4. The number of marriage applicants who will participate in premarital counseling is unknown. However, the estimate assumes fifty percent (10,500) of applicants for a marriage license will participate in premarital counseling.
5. The Amendment requires a \$5 fee for a marriage license issuance if the couple has not completed premarital education. If the applicant is unable to pay the fee, this fee can be waived. If fifty percent of the applicants do not complete premarital education, the fee would generate approximately \$53,000 annually to the State General Fund.
6. Court costs to waive premarital education requirements are approximately \$45 per case. The number of waived cases is unknown.
7. A one-time \$5,000 cost for programming the Iowa Court Information System (ICIS) will be incurred by the Judicial Branch.
8. The requirement for the Supreme Court to adopt rules and forms is estimated to have a cost of approximately \$5,000. The Committee would consist of 12 members at \$50 a day for seven days. The Committee would also require two hours per justice and three hours for a staff attorney to review the recommendations of the committee.

Fiscal Impact

The \$5 fee for not attending premarital education under the Amendment would generate approximately \$53,000 in additional revenue annually to the General Fund beginning in FY 2005.

The fiscal impact to the Judicial Branch to develop the parenting plans and forms for parties of a dissolution of marriage, annulment, legal separation, or modification proceeding involving the issues of custody and visitation is approximately \$5,000. There would also be a one-time cost of \$5,000 to program ICIS for premarital education waivers granted by Court. The ongoing cost to Clerk of Court offices for waiving premarital education waivers is \$45 per case. The number of cases waived is unknown.

Sources

Judicial Branch
Story County Recorder's Office

Dennis C Prouty

April 15, 2004

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
